

OPINION 1957

***Sphaerius* Waltl, 1838 (Insecta, Coleoptera): conserved; and SPHAERIIDAE Erichson, 1845 (Coleoptera): spelling emended to SPHAERIUSIDAE, so removing the homonymy with SPHAERIIDAE Deshayes, 1854 (1820) (Mollusca, Bivalvia)**

Keywords. Nomenclature; taxonomy; Bivalvia; Coleoptera; SPHAERIIDAE; SPHAERIUSIDAE; *Sphaerium*; *Sphaerius*, *Sphaerius acaroides*.

Ruling

- (1) Under the plenary power:
 - (a) the suppression of the generic name *Sphaerius* Waltl, 1838 (Coleoptera) in Opinion 1331 is hereby rescinded;
 - (b) it is hereby ruled that for the purposes of Article 29 of the Code the stem of the generic name *Sphaerius* Waltl, 1838 (Coleoptera) is SPHAERIUS-;
- (2) The entry for *Sphaerius* Waltl, 1838 is hereby deleted from the Official Index of Rejected and Invalid Generic Names in Zoology and *Sphaerius* Waltl, 1838 (gender: masculine), type species by monotypy *Sphaerius acaroides* Waltl, 1838, is placed on the Official List of Generic Names in Zoology (Coleoptera).
- (3) The name *acaroides* Waltl, 1838, as published in the binomen *Sphaerius acaroides* (specific name of the type species of *Sphaerius* Waltl, 1838), is hereby placed on the Official List of Specific Names in Zoology (Coleoptera).
- (4) The entry on the Official List of Family-Group Names in Zoology for the name SPHAERIIDAE Jeffreys, 1862 (1820) is hereby emended to read 'SPHAERIIDAE Deshayes, 1854 (1820)' (Bivalvia).
- (5) The name SPHAERIUSIDAE Erichson, 1845, type genus *Sphaerius* Waltl, 1838 (spelling emended by the ruling in (1)(b) above), is hereby placed on the Official List of Family-Group Names in Zoology (Coleoptera).
- (6) The entry on the Official List of Family-Group Names in Zoology for the name MICROSPORIDAE Reichardt, 1976 is hereby emended to read 'MICROSPORIDAE Crotch, 1873 (type genus *Microsporus* Kolenati, 1846)' (Coleoptera).
- (7) The entry on the Official Index of Rejected and Invalid Family-Group Names in Zoology for SPHAERIIDAE Erichson, 1845 is hereby emended to read 'SPHAERIIDAE Erichson, 1845 (an incorrect original spelling under the ruling given in (1)(b) above)' (Coleoptera).

History of Case 3052

An application for partial rescindment of Opinion 1331 (BZN 42: 230–232, September 1985) so as to conserve the beetle generic name *Sphaerius* Waltl, 1838, and to remove the homonymy between the molluscan and coleopteran family-group names SPHAERIIDAE Deshayes, 1854 (then cited with the authorship and date of 'Jeffreys, 1862', but see below) (based on the generic name *Sphaerium* Scopoli, 1777) and SPHAERIIDAE Erichson, 1845 (based on *Sphaerius* Waltl, 1838), was received from Dr M.A. Jäch (*Naturhistorisches Museum, Burgring, Wien, Austria*) on 9 July 1997. After correspondence the case was published in BZN 56: 117–120 (June 1999). Notice of the case was sent to appropriate journals.

An earlier application (BZN 26: 235–237, April 1970) to remove the homonymy between the family name SPHAERIIDAE in Mollusca and Insecta resulted in the coleopteran generic and family names *Sphaerius* Waltl, 1938 and SPHAERIIDAE Erichson, 1845 being placed on Official Indexes (Opinion 1331, September 1985). There were flaws in that ruling which the current application sought to rectify. The new application had the support of a number of entomologists (BZN 56: 119, para. 5).

Decision of the Commission

On 1 March 2000 the members of the Commission were invited to vote on the proposals published in BZN 56: 119. At the close of the voting period on 1 June 2000 the votes were as follows:

Affirmative votes — 20: Bock, Bouchet, Brothers, Cocks, Cogger, Eschmeyer, Kerzhner, Kraus, Macpherson, Mahnert, Martins de Souza, Mawatari, Minelli, Papp, Patterson, Ride, Savage, Schuster, Song, Štys

Negative votes — 1: Heppell.

No votes were received from Dupuis and Nielsen.

Lehtinen was on leave of absence.

Voting for, Bouchet commented: 'The bivalve family-group name SPHAERIIDAE was placed on the Official List in Opinion 1331 with 'Jeffreys, 1862 (1820)' as author and date. Prior to its usage by Jeffreys the name was in fact established by Deshayes in 1854 (*Catalogue of the Conchifera or bivalve shells in the collection of the British Museum*, part 2, p. 261) as Sphaeriina (a section of the family CORBICULIDAE). The emended authorship and date for the molluscan name SPHAERIIDAE have been recorded in the ruling above. Dupuis declined to vote on the grounds that less than a year had elapsed since publication of the case. [Editorial note. An explanation of procedure followed in sending cases for voting was given in BZN 54: 53–54, March 1997]. Voting against, Heppell commented: 'Before voting on this case I re-read the original application and proposals of 1970 and all subsequent comments and revised proposals, as well as the Commission's ruling on the case in 1985. I see no compelling reason to set aside the decision of the Commission at that time, but I agree with the present applicant that the ruling as published was flawed. In my view the authorship of the family name MICROSPORIDAE (Crotch, 1873, not Reichardt, 1976) and that of the generic name *Microsporus* (Kolenati, 1846, not Waltl, 1838) could have been corrected without a vote by the Commission. The second of these errors was introduced into Opinion 1331 but was not in the published proposals: it has already been corrected in the (1987) published *Official Lists and Indexes of Names and Works in Zoology*. The further question of the suppression of the generic name *Sphaerius* Waltl, 1838, is more problematical. In the proposals (BZN 38: 158) on which the Commission was asked to vote in 1985, proposal (a) was for the 'use of the plenary powers to suppress the generic name *Sphaerius* Waltl, 1838 and all subsequent uses for the purposes of the Law of Priority but not for those of the Law of Homonymy'. The published ruling in Opinion 1331, however, stated that the suppression was 'for the purposes of both the Principle of Priority and the Principle of Homonymy'. There was no statement indicating that this change was deliberate. As no evidence of any homonymy with this generic name had been presented this detail of the ruling was presumably erroneous; in his application Jäch (para. 3(i)) has pointed out that

'suppression of *Sphaerius* for the purposes of homonymy has the undesirable ... effect of permitting the future introduction of this name in a quite different taxonomic sense'. Incidentally, the entry for the generic name *Sphaerium* Scopoli, 1777 in the published *Official Lists and Indexes of Names and Works in Zoology* is incorrect as it refers only to Direction 72 and not to Direction 117, where the method of type designation was corrected from subsequent designation by Gray (1847) to monotypy'.

Original references

The following are the original references to the names placed on Official Lists, and to the emendations to the entries on Official Lists and Official Indexes, by the ruling given in the present Opinion:

Sphaerius Waltl, 1838, *Isis von Oken*, **1838**: 272.

acaroides, *Sphaerius*, Waltl, 1838, *Isis von Oken*, **1838**: 272.

SPHAERIIDAE Deshayes, 1854, *Catalogue of the Conchifera or bivalve shells in the collection of the British Museum*, part 2, p. 261.

SPHAERIUSIDAE Erichson, 1845, *Naturgeschichte der Insecten Deutschlands*, **3**: 38 (incorrectly spelled as SPHAERIIDAE).

MICROSPORIDAE Crotch, 1873, *Proceedings of the American Philosophical Society*, **13**: 78.

SPHAERIIDAE Erichson, 1845, *Naturgeschichte der Insecten Deutschlands*, **3**: 38 (an incorrect original spelling of SPHAERIUSIDAE).